

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Marcel Romain Wallace

Docket No. 5:15-CR-355-1D

Petition for Action on Supervised Release

COMES NOW Matthew A. Fmura, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Marcel Romain Wallace, who, upon an earlier plea of guilty to Possession of Stolen Mail, in violation of 18 U.S.C. § 1708, and Bank Fraud and Aiding and Abetting, in violation of 18 U.S.C. § 1344 and 18 U.S.C. § 2, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on September 13, 2016, to the custody of the Bureau of Prisons for a term of 42 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Marcel Romain Wallace was released from custody on August 13, 2019, at which time the term of supervised release commenced.

On November 22, 2019, a Violation Report was submitted advising the court of admitted cocaine use. Substance abuse treatment requirements were increased, and cognitive behavioral interventions were reviewed.

On January 16, 2020, a Petition for Action was submitted adding 30 days of Location Monitoring: Radio Frequency with a curfew, in response to admitted cocaine use. Substance abuse treatment was continued.

On July 17, 2020, a Violation Report was submitted advising the court of failure to comply with monetary obligations. Supervision was continued with no punitive action.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On October 25, 2020, the defendant submitted a urine specimen to the U.S. Probation Office which was presumptively positive for marijuana use. The defendant admitted using marijuana on October 16, 2020, while at a cookout. The specimen was subsequently confirmed positive for marijuana use by the National Laboratory on October 29, 2020. Wallace is gainfully employed and is enrolled in outpatient substance abuse treatment at Straight Walk Family Services in Rocky Mount, North Carolina. The defendant accepted responsibility and was counseled about his actions. Wallace signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period of 30 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Marcel Romain Wallace
Docket No. 5:15-CR-355-1D
Petition For Action
Page 2

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Matthew A. Fmura
Matthew A. Fmura
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2345
Executed On: November 10, 2020

ORDER OF THE COURT

Considered and ordered this 11 day of November, 2020, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge